

**In the
Indiana Supreme Court**

STATE OF INDIANA)	Supreme Court No. 85S00-0605-SJ-163
)	
vs.)	
)	Case No. 85C01-9608-CF-47
DAVID T. SHOLES)	in the Wabash Circuit Court

ORDER REMANDING JURISDICTION TO TRIAL COURT

Comes now the Hon. Robert R. McCallen, III, Judge of the Wabash Circuit Court, and certifies this matter here for the appointment of a special judge.

And this Court, being duly advised, now finds that jurisdiction of this matter should be remanded to the Wabash Circuit Court and Judge McCallen for appointment of a special judge pursuant to local rule. Ind. Criminal Rule 13(C) provides that in counties with fewer than four judges the local rule required by Ind. Criminal Rule 2.2 shall include an alternative assignment list for use in the event a change of judge is granted.

IT IS, THEREFORE, ORDERED that jurisdiction of this matter is remanded to the Wabash Circuit Court and Judge McCallen for appointment of a special judge pursuant to local rule.

The Clerk of this Court is directed to forward notice of this Order to the Hon. Robert R. McCallen, III, Wabash Circuit Court, 49 West Hill Street, Wabash, IN 46992-3151, and to the Clerk of the Wabash Circuit Court.

The Clerk of the Wabash Circuit Court is directed to forward notice of this Order to all parties of record in the case below.

DONE at Indianapolis, Indiana, this _____ day of May, 2006.

Randall T. Shepard
Chief Justice of Indiana